

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,568	10/11/2001	George Friedman	EMPIR-025AUS

022494  
 DALY, CROWLEY & MOFFORD, LLP  
 SUITE 101  
 275 TURNPIKE STREET  
 CANTON, MA 02021-2310

CONFIRMATION NO. 7486  
**FORMALITIES LETTER**  
  
 \*OC00000007159909\*

Date Mailed: 12/05/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)***Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

01/28/2002 HTECKLU1 00000041 09975568

Division (703) 308-1202 PART 2 - COPY TO BE RETURNED WITH RESPONSE

01 FC:201  
02 FC:205370.00 OP  
65.00 OP

01/28/2002 HTECKLU1 00000041 09975568

01 FC:201  
02 FC:205370.00 OP  
65.00 OP



Please type a plus sign (+) inside this box → +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

M.M. ✓ Sector/PA #3

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/975,568
		Filing Date	October 11, 2001
		First Named Inventor	George Friedman
		Group Art Unit	2857
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	10	Attorney Docket Number	EMPIR-025AUS

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney & Declaration	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return-receipt postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of missing parts mailed 12/5/01
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David W. Rouille	Reg. No. 40,150
	Daly, Crowley & Mofford, LLP	
Signature	<i>David W. Rouille</i>	
Date	18-Dec-01	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

18-Dec-01

Typed or printed name	David W. Rouille
Signature	<i>David W. Rouille</i>
Date	18-Dec-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 435)

Complete if Known	
Application Number	09/975,568
Filing Date	October 11, 2001
First Named Inventor	George Friedman
Examiner Name	Not Yet Assigned
Group Art Unit	2857
Attorney Docket No.	EMPIR-025AUS

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-0845

Deposit Account Name

Daly, Crowley &amp; Mofford, LLP

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	370
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	

SUBTOTAL (1) (\$ 370)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
10	-20** = 0	X 18	= 0
2	-3** = 0	X 84	= 0
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	65
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65)

65

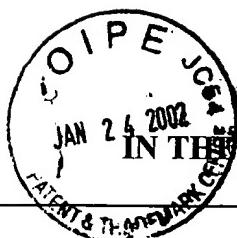
## SUBMITTED BY

Name (Print/Type)	David W. Rouille	Registration No. (Attorney/Agent)	40,150	Telephone	781.401.9988 ext. 25
Signature	<i>David W. Rouille</i>			Date	18-Dec-01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	George Friedman et al.
Application No.	:	09/975,568
Filed	:	October 11, 2001
Entitled	:	GENERATION OF CORRECTLY ORDERED TEST CODE FOR TESTING SOFTWARE COMPONENTS
Docket No.	:	EMPIR-025AUS

Group Art Unit: 2857

Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

18-Dec-01

Date of Signature  
and Mail Deposit

David W. Rouille

David W. Rouille  
Reg. No. 40,150  
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Attention: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed herewith is a response to the PTO Notice (copy enclosed) dated December 5, 2001.

If the Examiner has any questions regarding this submission or this application, please do not hesitate to contact the undersigned attorney.

Application No.: 09/975,568

Filed: October 11, 2001

Group Art Unit: 2857

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 50-0845.

Respectfully submitted,

David W. Rouille

David W. Rouille

Attorney for Applicant(s)

Reg. No. 40,150

Daly, Crowley & Mofford, LLP

275 Turnpike Street

Suite 101

Canton, MA 02021-2310

Tel: (781) 401-9988

Fax: (781) 401-9966

Date: 10-0cc-01